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CLASSIFICATION

31 AUG
1954

OGC Has Reviewed

TO : Chief, EE
FROM : Attn: General Counsel
Chief of Mission, [REDACTED] 25X1A6a
SUBJECT: GENERAL— Administrative

DATE: _____

SPECIFIC— [REDACTED] Mission Motor Vehicle Directive 25X1A6a

1. Attached hereto is a revision of the above directive which has recently been issued. We are forwarding this to you because of the interest which the Office showed in the predecessor directive, and the fact that similar directives were under consideration in other Missions. You will note this revision was designed to reduce the Table of Allowances and to render more specific the definition of "official use."

2. We had also encountered some legal problems in the past with reference to the collection of damages resulting from personal usage or deviations from official usage. For this reason the Legal Officer has revised the form of trust agreement (attachment B to the Directive) to conform to the requirements of Section IX A. and XIII (A) (4.). The last paragraph of the new trust agreement is designed not only to assist in collection of damages arising from accident cases, but also to assist recovery in the event of a sale after death or other co-mingling of assets that might prevent recovery of the trust res itself. Since the onus of recovery in most of these cases reverts to the Office of General Counsel, we would appreciate your comments on this revision.

3. We are particularly concerned with the not unlikely hypothesis that a staff employee, assigned an official vehicle for overnight housing, takes his wife for a Sunday drive and stops for a few drinks, and then on his return trip negligently causes damages to the government vehicle and the property of a third person. The Accident Review Board recommends a finding that the usage was personal and not official, despite the contentions of the employee to the contrary. The Chief of Mission confirms the Board's findings and damages are assessed against the employee. The latter is also returned to Headquarters and dismissed from service. He refuses to make payment of the damages and the amount is withheld from his salary or other termination payments.

4. Since such cases will require direct cooperation between the Mission and your Office, your comments based upon existing relations with the Justice Department and the Comptroller General would be appreciated.

Atts- [REDACTED]

25X1A9a

26 August 1954

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